

AMENDED IN SENATE APRIL 17, 2006

SENATE BILL

No. 1819

Introduced by Senator Figueroa

February 24, 2006

An act to amend Section 69433.5 of, and to add Article 6.1 (commencing with Section 69439.1) to Chapter 1.7 of Part 42 of, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1819, as amended, Figueroa. Postsecondary education: ~~college textbooks~~ *Cal Grant C Plus Program*.

Existing law establishes the system of postsecondary education in this state, which consists of the California Community Colleges, the California State University, the University of California, and independent institutions of higher education.

~~Existing law expresses a finding and declaration of the Legislature that the production and pricing of college textbooks deserves a high level of attention from educators and lawmakers because they impact the quality and affordability of higher education. Existing law urges textbook publishers to provide specified information about their products to students and faculty.~~

~~Existing law requires the Trustees of the California State University and the Board of Governors of the California Community Colleges, and requests the Regents of the University of California, to take specified actions aimed at reducing the prices that students currently pay for textbooks. Existing law expresses the intent of the Legislature to encourage private colleges and universities to work with their respective academic senates and to encourage faculty to consider~~

~~practices in selecting textbooks that will result in the lowest costs to students.~~

Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education.

Existing law, known as the Ortiz-Pacheco-Poohigian-Vasconcellos Cal Grant Act, establishes the Cal Grant A and B entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. An existing provision of the act prohibits a Cal Grant Program award, other than a Cal Grant T award used for teacher training costs, from being used other than for a program of study leading directly to an undergraduate degree or certificate, or for expenses of undergraduate coursework in a program of study leading directly to a first professional degree, but for which no baccalaureate degree is awarded.

~~This bill would express the intent of the Legislature to enact additional legislation related to college textbooks~~ *express findings and declarations of the Legislature with respect to the need for a Cal Grant award for which persons without a high school diploma or a high school equivalency certificate would be eligible. The bill would establish the Cal Grant C Plus Program pursuant to which the commission would make awards to students engaged in occupational or technical training, as defined, or in a course of study designed to lead to attainment of a high school equivalency certificate. The bill would exempt the Cal Grant C Plus Program, from the general requirement that Cal Grant awards be used only for study leading to an undergraduate degree or certificate or to a first professional degree.*

The bill would prescribe eligibility requirements for the Cal Grant C Plus awards, and would designate categories of eligible applicants who would receive priority in receiving those awards. The bill would require the commission to determine the amount and total annual number of Cal Grant C Plus awards based on the amount of available funds and the number of eligible applicants for the awards.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. It is the intent of the Legislature to enact additional legislation related to college textbooks.~~

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Substantial changes to the Pell Grant Program require state student aid programs to respond accordingly if the state is to effectively supplement federal student assistance for occupational and technical training.

(2) In low-income and underrepresented communities, where large numbers of young adults have not attained a high school diploma or a high school equivalency certificate (GED), occupational and technical training, as well as the attainment of a GED, are particularly critical to establishing a well-paying career track.

(3) Cal Grant awards, including Cal Grant C awards, only apply to individuals who have attained a high school diploma or a GED.

(4) The population of individuals in low-income and underrepresented communities who are ineligible to receive state or federal assistance to receive occupational or technical training is substantial, and will continue to grow due to current funding and programmatic restrictions.

(5) An added statewide student assistance grant supplementary to the Pell Grant for occupational and technical training would increase the effectiveness of the current Cal Grant program.

(6) Multistate lottery revenue could provide the independent funding stream necessary to facilitate such a program.

(b) Therefore, it is the intent of the Legislature to enact a Cal Grant C Plus Program, and to fund the Cal Grant C Plus awards with funds raised from the proceeds of California's participation in a multistate lottery.

SEC. 2. Section 69433.5 of the Education Code is amended to read:

69433.5. (a) Only a resident of California, as determined by the commission pursuant to Part 41 (commencing with Section 68000), is eligible for an initial Cal Grant award. The recipient shall remain eligible for award renewal only if he or she is a California resident, in attendance, and making satisfactory academic progress at a qualifying institution, as determined by the commission.

(b) A part-time student shall not be discriminated against in the selection of Cal Grant Program award recipients, and an award to a part-time student shall be approximately proportional to the time the student spends in the instructional program, as determined by the commission. A first-time Cal Grant Program award recipient who is a part-time student shall be eligible for a full-time renewal award if he or she becomes a full-time student.

(c) Cal Grant Program awards shall be awarded without regard to race, religion, creed, sex, or age.

(d) No applicant shall receive more than one type of Cal Grant Program award concurrently. Except as provided in Section 69440, no applicant shall:

(1) Receive one or a combination of Cal Grant Program awards in excess of the amount equivalent to the award level for a total of four years of full-time attendance in an undergraduate program, except as provided in Section 69433.6.

(2) Have obtained a baccalaureate degree prior to receiving a Cal Grant Program award, except as provided in Section 69440.

(e) A Cal Grant Program award, except as provided in ~~Section~~ *Sections 69439.1 and 69440*, may only be used for educational expenses of a program of study leading directly to an undergraduate degree or certificate, or for expenses of undergraduate coursework in a program of study leading directly to a first professional degree, but for which no baccalaureate degree is awarded.

(f) Commencing in 1999, the commission shall, for students who accelerate college attendance, increase the amount of award proportional to the period of additional attendance resulting from attendance in classes that fulfill requirements or electives for graduation during summer terms, sessions, or quarters. In the aggregate, the total amount a student may receive in a four-year period may not be increased as a result of accelerating his or her

1 progress to a degree by attending summer terms, sessions, or
2 quarters.

3 (g) The commission shall notify Cal Grant award recipients of
4 the availability of funding for the summer term, session, or
5 quarter through prominent notice in financial aid award letters,
6 materials, guides, electronic information, and other means that
7 may include, but not necessarily be limited to, surveys,
8 newspaper articles, or attachments to communications from the
9 commission and any other published documents.

10 (h) The commission may require, by the adoption of rules and
11 regulations, the production of reports, accounting, documents, or
12 other necessary statements from the award recipient and the
13 college or university of attendance pertaining to the use or
14 application of the award.

15 (i) A Cal Grant Program award may be utilized only at a
16 qualifying institution.

17 *SEC. 3. Article 6.1 (commencing with Section 69439.1) is*
18 *added to Chapter 1.7 of Part 42 of the Education Code, to read:*

19
20 *Article 6.1. Cal Grant C Plus Program*
21

22 *69439.1. (a) A Cal Grant C Plus award shall be used for*
23 *occupational or technical training or for costs related to*
24 *enrollment in a course of study designed to lead to attainment of*
25 *a high school equivalency certificate. For purposes of this*
26 *article, "occupational or technical training" means that phase of*
27 *education coming after the completion of a secondary school*
28 *program and leading toward recognized occupational goals*
29 *approved by the commission.*

30 *(b) A Cal Grant C Plus award recipient shall be eligible for*
31 *renewal of his or her grant until he or she has completed his or*
32 *her occupational or technical training in conformance with terms*
33 *prescribed by the commission. In no case shall a Cal Grant C*
34 *Plus award exceed two calendar years in duration.*

35 *(c) A Cal Grant C Plus award shall be for institutional fees,*
36 *charges, and other costs, including tuition, plus training-related*
37 *costs, such as special clothing, local transportation, required*
38 *tools, equipment, supplies, and books. In determining the amount*
39 *of grants and training-related costs, the commission shall take*

1 into account other state and federal programs available to the
2 applicant.

3 (d) Cal Grant C Plus awards shall be awarded in areas of
4 occupational or technical training as determined by the
5 commission after consultation with appropriate state and federal
6 agencies.

7 (e) Awards under the Cal Grant C Plus Program shall be
8 made in accordance with all of the following:

9 (1) A recipient shall be a student who is deemed to be
10 disadvantaged under criteria to be established by the
11 commission. In establishing these criteria, the commission shall
12 take into consideration the financial, educational, cultural,
13 language, home, community, environmental, and other
14 conditions that may hamper a student's access to, and ability to
15 persist in, postsecondary programs.

16 (2) A recipient shall be at least 18 years of age, but no older
17 than 24 years of age.

18 (3) A recipient shall not be required to have received a high
19 school diploma or a general equivalency certificate.

20 (4) A recipient may enroll in occupational or technical
21 training, or in a course of study designed to lead to a high school
22 equivalency certificate, or may enroll in both types of programs
23 concurrently.

24 (5) To the extent that funds are appropriated for the purposes
25 of this article, the commission shall provide a preference to
26 eligible applicants for Cal Grant C Plus awards who fulfill any
27 of the following requirements:

28 (A) The applicant has been declared a dependent or ward of
29 the court pursuant to Section 300 or 602 of the Welfare and
30 Institutions Code.

31 (B) The applicant, within a 60-day period immediately prior to
32 his or her 18th birthday, had a permanent plan of long-term
33 foster care or guardianship.

34 (C) The applicant received aid pursuant to Part 3
35 (commencing with Section 11000) of Division 9 of the Welfare
36 and Institutions Code.

37 (D) The applicant was previously committed to the California
38 Youth Authority or to the Division of Juvenile Facilities in the
39 Department of Corrections and Rehabilitation.

1 (E) *The applicant has been recommended, nominated, or*
2 *otherwise recognized by a law enforcement agency, including,*
3 *but not necessarily limited to, a gang task force or an individual*
4 *peace officer, or a governmental entity, including, but not*
5 *necessarily limited to, a mayor's office, a community counseling*
6 *center, or a component of the Division of Juvenile Facilities in*
7 *the Department of Corrections and Rehabilitation, and the*
8 *applicant has been identified as an at-risk youth candidate.*

9 (f) *The commission shall determine the amount and total*
10 *annual number of Cal Grant C Plus awards based on the amount*
11 *of available funds and the number of eligible applicants for the*
12 *awards.*